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**TRANSMITTAL LETTER
(General - Patent Pending)**

Docket No.
0324

In Re Application Of: **Mauk, Hanns-Joerg**

DTOS Rec'd PCT/PTO 22 DEC 2003

Serial No.
10/725,117

Filing Date
December 2, 2003

Examiner
Not Yet Assigned

Group Art Unit
Not Yet Assigned

Title: **RESILIENT FLOOR COVERING WITH REGENERATIVE, DIRT-REPELLENT SURFACE**

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is:

**Petition for Revival
Check (\$1,330.00)
Return Post Card**

in the above identified application.

- ☐ No additional fee is required.
- ☒ A check in the amount of **\$1,330.00** is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **012400** as described below.
- ☐ Charge the amount of
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.



Signature

Dated: **December 19, 2003**

**Douglas E. Winters
Reg. No. 29,990**

I certify that this document and fee is being deposited on **12/19/03** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Signature of Person Mailing Correspondence

April D. Fiedler

Typed or Printed Name of Person Mailing Correspondence

CC:

64

**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT
DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number
(Optional)
0324

First Named Inventor: Mäuk, Hanns-Joerg

International (PCT) Application No.: PCT/EP02/05567

U.S. Application No.: 10/725,117
(if known)

Filed: December 2, 2003

Title: Resilient Floor Covering with Regenerative, Dirt-Repellent Surface

Attention: PCT Legal Staff
Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.494(b) or (c) or 1.495(b) or (c) as applicable. The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.494(g) or 1.495(h).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper reply
- (3) Terminal disclaimer with disclaimer fee which is required for all international applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee
☐ Small entity- fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status.
See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1,330.00 (37 CFR 1.17(m))
2. Proper reply

A. The proper reply (the missing 35 U.S.C. 371(c) requirement(s)) in the form of
Continuation Application (identify type of reply):

☒ has been filed previously on December 2, 2003.

☐ is enclosed herewith.

12/31/2003 LANDGRA 00000052 10725117

01 FC:1453

1330.00 OP

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

pk

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

3. Terminal disclaimer with disclaimer fee

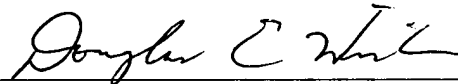
- ☒ Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

December 19, 2003

Date



Signature

(717) 396-4070

Telephone Number

Douglas E. Winters

Typed or Printed Name

29,990

Registration Number, if applicable

Armstrong World Industries, Inc.
2500 Columbia Avenue

Address

P. O. Box 3001
Lancaster, PA 17604-3001

Address

Enclosures: ☒ Response

☒ Fee Payment

☐ Terminal Disclaimer

☐ _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)	
)	
Hanns-Joerg Mauk et al.)	Examiner: Not Yet Assigned
)	
Serial No.: 10/725,117)	Art Unit: Not Yet Assigned
)	
Filed: December 2, 2003)	Confirmation No.: Not Yet Assigned
)	
For: RESILIENT FLOOR COVERING)	Docket No.: 0304
WITH REGENERATIVE, DIRT-)	
REPELLENT SURFACE)	

PETITION UNDER 37 CFR 1.137(b)

Attention: PCT Legal Staff
Mail Stop PCT
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

This petition is in support of the Petition for Revival of An International Application for Patent Designating the U.S. Abandoned Unintentionally Under 37 CFR 1.137(b), filed herewith on Form PTO/SB/64/PCT (06-03).

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

The petition fee of \$1,330 as set forth in 37 CFR 1.17(m) is enclosed herewith.

The proper reply (the missing 35 U.S.C. 371(c) requirements in the form of a Continuation Application has been filed previously on December 2, 2003.

Since the international application was filed after June 8, 1995, no terminal disclaimer is required.

Attorney for applicants intended to file the above-identified application on November 26, 2003, by mailing the application by US Postal Express Mail, which would have antedated the international filing deadline of November 29, 2003. The application was mailed by US Postal Certified Mail and arrived at the USPTO on December 2, 2003.

The unintentional delay was caused by error of mailroom personal in attorney for applicants' company. As evidenced by the enclosed copy of the Mailing Dept. Special Mail Request, the above-identified continuation application was to be mailed by US Postal Express Mail, which would have resulted in a filing date of November 26, 2003. Note the US Postal Express Mail No. EL047113685, written on the Mailing Dept. Special Mail Request form, matches the Express Mail Label No. listed on the enclosed copy of the Continuation Application Transmittal Form and the enclosed copy of the Certificate of Express Mail.

Due to holiday vacations, the mailroom was working short-handed and the normal personnel were not processing the mail. The inexperienced mailroom personnel mailed the above-identified continuation application by US Postal Certified Mail, as evidenced by the enclosed copy of the US Certified Mail return receipt and the enclosed copy of the Certified Mail FirmBook PS Form 3877. The highlighted section on page 2 of the Certified Mail FirmBook identifies the above-identified application and the highlighted postmark on page 3 evidences that the application was mailed on November 26, 2003. As a result, the above-identified application was received at the USPTO, and therefore filed, on December 2, 2003, as evidenced by the enclosed copy of the Acknowledgement Card.

It is respectfully requested that the above-identified patent application be revived as being unintentionally abandoned.

Respectfully submitted,

12/19/03
Date

Douglas E. Winters
Douglas E. Winters
Reg. No. 29,990
Attorney for Applicants

Armstrong World Industries, Inc.
P.O. Box 3001
Lancaster, PA 17604
(717) 396-4070 (Telephone)
(717) 396-6121 (Facsimile)

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Attention: PCT Legal Staff, Mail Stop PCT, Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22231-1450 on: December 19, 2003.

Asimul Fiedler

→ EL 047113685

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Douglas E. 2/2/85
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Originator Name April Fiedler Ext. 5842

Division or Dept. Legal Rm. #/Mail Code 6701

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FORM 1544 & PRIVATE COURIER AIRBILLS ARE AVAILABLE UPON REQUEST FROM MAILING DEPT. ONLY

ACT

**CONTINUATION APPLICATION
TRANSMITTAL FORM**

Docket No.: 0324

To the Commissioner of Patents:

Transmitted herewith for filing is a Continuation application of pending prior international application serial no. PCT/EP02/05567, filed on May 21, 2002, of:

First Inventor: Mauk et al.

For: RESILIENT FLOOR COVERING WITH REGENERATIVE, DIRT-REPELLENT SURFACE

Prior Application Information: Examiner:

Art Unit:

Enclosed are:

- ☒ Certificate of Mailing with Express Mail Label No. EL047113685US
☒ Specification (16 pages)
☐ Drawings (sheets)
☐ Declaration
☐ Power of Attorney
☐ Information Disclosure Statement
☐ Preliminary Amendment
☒ Other: Photocopy of WO-Publication Print and English Translation

The filing fee is calculated below:

For	# Filed	Paid by Basic Fee	# Extra	Rate	Fee
Total Claims	25	- 20	5	X \$18.00	\$90.00
Independent Claims	2	- 3	0	X \$84.00	0
Multiple Dependent Claims					
Basic Fee					\$770.00
Total Filing Fee					\$860.00

☒ A check in the amount of \$860.00 is enclosed.

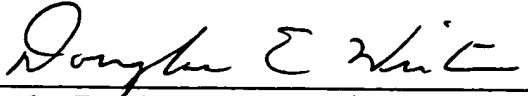
☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to our Deposit Account No. 012400.

☐ Cancel in this application original claims _____ of the prior application before calculating the filing fee.

PCT

____ Enclosed is a copy of the latest inventor signed prior application, including the oath or declaration as originally filed. The attached copy contains no matter that would have been new matter in the prior application.

X Incorporation by Reference. The entire disclosure of the prior international application (serial number PCT/EP02/05567) is considered to be part of the disclosure of the accompanying application and is hereby incorporated by reference therein.



Date: November 26, 2003

Douglas E. Winters
Reg. No. 29,990
Attorney for Applicants

ARMSTRONG WORLD INDUSTRIES, INC.
2500 COLUMBIA AVENUE
P. O. BOX 3001
LANCASTER, PA 17604-3001
Telephone: (717) 396-4070
Facsimile: (717) 396-6121

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mauk et al.

For: RESILIENT FLOOR COVERING WITH REGENERATIVE, DIRT-REPELLENT SURFACE

CERTIFICATE OF EXPRESS MAIL

Mail Stop Patent Application
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed for filing in the above case are the following documents:

Continuation Application Transmittal Form
Specification and Claims (16 pages)
Photocopy of WO-Publication Print and English Translation
Check (\$860.00)
Return Post Card

Respectfully submitted,



Douglas E. Winters
Reg. No. 29,990

Date: November 26, 2003

ARMSTRONG WORLD INDUSTRIES, INC.
2500 Columbia Avenue
P. O. Box 3001
Lancaster, PA 17604-3001

I hereby certify that all correspondences listed above are being deposited for delivery to the above addressee, with the United States Postal Service "**EXPRESS MAIL POST OFFICE TO ADDRESSEE**" service under 37 CFR 1.10 on the date indicated below:

The envelope has been given U.S. Postal Service "Express Mail Post Office To Addressee" Package # **EL 047113685US**.

November 26, 2003
Date

April D. Fiedler
(Printed Name of Person Mailing
Correspondence)


(Signature of Person Mailing Correspondence)

pat

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- Indicate if restricted delivery is desired.
- Print your name and address on the reverse of this form so that we can return this card to you.
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Mail Stop Patent Application
Commissioner for Patents
PO Box 1450
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2. Article Number

7115 1076 1430 0014 9680

3. Service Type ☒ **CERTIFIED**

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2003

Received By: (Print Name)

Signature - (Addressee or Agent)

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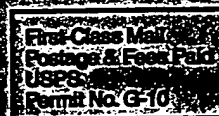
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April Fiedler
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Lancaster, PA 17604-3001

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Certified Mail FirmBook PS Form 3877

Page 1 of 3

USPS Entry Point: Lancaster PA

Manifest ID: Nov 26, 2003 16:34

Maller: Armstrong World Industries Inc

Permit Mailing: Permit# 146

PO Box 3001

Class/SubClass: Certified Mail and

Lancaster PA 17604

Return Receipt

(717) 396-2998

Sender: Kathy Hoxworth

BatchID: 2217

Armstrong World Industries Inc

Batch Date: 11/26/2003

P O Box 3001

Group: All Addressees

Lancaster, PA 176043001

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71151076143000149499	James Brandt 110 E Manor Drive Lititz, PA 17543-	0.06	\$0.37	\$0.00	\$1.75	\$2.30	\$4.42
71151076143000149505	Craig Coble 561 College Ave Elizabethtown, PA 17022-	0.06	\$0.37	\$0.00	\$1.75	\$2.30	\$4.42
71151076143000149512	David Cramer 1517 McFarland Drive Landisville, PA 17538-	0.06	\$0.37	\$0.00	\$1.75	\$2.30	\$4.42
71151076143000149529	Brian Cunningham 16 Button Wood Drive Lititz, PA 17543-	0.06	\$0.37	\$0.00	\$1.75	\$2.30	\$4.42
71151076143000149543	Betty Fralinger 117 Meadowcroft Drive Lancaster, PA 17603-	0.06	\$0.37	\$0.00	\$1.75	\$2.30	\$4.42
71151076143000149550	Richard Jumbelick 2947 Spring Valley Road Lancaster, PA 17601-	0.06	\$0.37	\$0.00	\$1.75	\$2.30	\$4.42
71151076143000149567	C Kirchner 268 Mt Airy Road New Providence, PA 17560-	0.06	\$0.37	\$0.00	\$1.75	\$2.30	\$4.42
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71151076143000149598	Karen Lewis 29 Park View Heights Road Ephrata, PA 17522-	0.06	\$0.37	\$0.00	\$1.75	\$2.30	\$4.42
71151076143000149604	J Lilly PO Box 524 York, PA 17405-0524	0.06	\$0.37	\$0.00	\$1.75	\$2.30	\$4.42
71151076143000149611	Christie Livengood 15 Wyndmere Way Willow Street, PA 17584-	0.06	\$0.37	\$0.00	\$1.75	\$2.30	\$4.42
71151076143000149628	Michelle Martin 1527 Fruitville Pike Apt #1	0.06	\$0.37	\$0.00	\$1.75	\$2.30	\$4.42

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Page 2 of 3

USPS Entry Point: Lancaster PA

Manifest ID: Nov 26, 2003 16:34
Permit Mailing: Permit# 146
Class/SubClass: Certified Mail and
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Maller: Armstrong World Industries Inc
PO Box 3001
Lancaster PA 17604
(717) 396-2998

Lancaster, PA 17601-							
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71151076143000149666::	Nelson Waltz	0.06	\$0.37	\$0.00	\$1.75	\$2.30	\$4.42
	1631 Judie Lane E-17						
	Lancaster, PA 17603-						
71151076143000149673::	Henry Young	0.06	\$0.37	\$0.00	\$1.75	\$2.30	\$4.42
	1143 Marticville Road						
	Pequea, PA 17565-						
Batch Totals:		Pieces: 19	1.19	\$7.03	\$0.00	\$33.25	\$43.70
Sender: April Fiedler		BatchID: 2218					
Armstrong World Industries		Batch Date: 11/26/2003					
P O Box 3001		Group: All Addressees					
Lancaster, PA 176043001							

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	Commissioner for Patents						
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	Alexandria, VA 22313-1450						
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Sender: Kathy Hoxworth		BatchID: 2220					
Armstrong World Industries Inc		Batch Date: 11/26/2003					
P O Box 3001		Group: All Addressees					
Lancaster, PA 176043001							

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	13 Pheasant Lane						
	Lititz, PA 17543-						
Batch Totals:		Pieces: 1	0.06	\$0.37	\$0.00	\$1.75	\$4.42

per

Certified Mail FirmBook PS Form 3877

Page 3 of 3

USPS Entry Point: Lancaster PA

Manifest ID: Nov 26, 2003 16:34
Permit Mailing: Permit# 146
Class/SubClass: Certified Mail and
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Mailer: Armstrong World Industries Inc
PO Box 3001
Lancaster PA 17604
(717) 396-2998

Sender: Dan Nagle
Armstrong World Industries, Inc.
P. O. Box 3001
Lancaster, PA 17604

BatchID: 2221
Batch Date: 11/26/2003
Group: All Addressees

Article Number	Name & Address	Weight lbs	Base Postage	Restricted	Ret. Rct.	Cert. Fee	Total Postage
71151076143000149703	City of Portland Bureau of Licenses 1900 SW 4th Ave Room 3500 Portland, OR 97201-5350	0.06	\$0.37	\$0.00	\$1.75	\$2.30	\$4.42
71151076143000149710	Franchise Tax Board P O Box 942857 Sacramento, CA 94257-0501	0.06	\$0.37	\$0.00	\$1.75	\$2.30	\$4.42
Batch Totals:	Pieces: 2	0.13	\$0.74	\$0.00	\$3.50	\$4.60	\$8.84
Report Totals:	Pieces: 23	2.00	\$10.58	\$0.00	\$40.25	\$52.90	\$103.73

John H. Hines



PCT

ADF

ACKNOWLEDGEMENT CARD

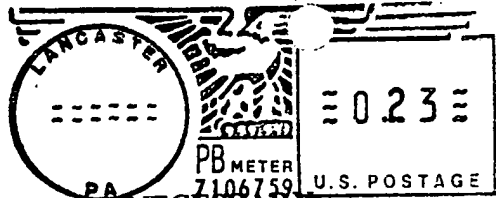
Serial No. _____ Docket No. 0324 Attorney DEWTitle RESILIENT FLOOR COVERING WITH REGENERATIVE, DIRT-REPELLENT SURFACE

The following has been received in the United States Patent and Trademark Office on the date stamped hereon:

- | | |
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| <input checked="" type="checkbox"/> Transmittal Letter | <input type="checkbox"/> Extension of Time |
| <input checked="" type="checkbox"/> Specification <u>16</u> Pages <input type="checkbox"/> Provisional | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> _____ Sheets of Drawings | <input type="checkbox"/> Issue Fee Transmittal |
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| <input type="checkbox"/> Assignment | <input type="checkbox"/> Make a record |
| <input type="checkbox"/> Copy of Notice to File Missing Parts | <input type="checkbox"/> PTC Request |
| <input type="checkbox"/> Certified Copy of Priority Document | <input checked="" type="checkbox"/> Check (\$860.00) |
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10/725117

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